ANNO REGNI

CAROLI

REGIS ANGLIÆ, SCOTIÆ, FRANCIÆ, & HIBERNIÆ, DECIMO SEPTIMO.

At the Parliament begun at *Westminster* the third day of November, *Anno Dom.* 1640.

In the 16. year of the Reign of our most gracious Soveraign Lord, CHARLES, by the grace of God, of England, Scotland, France, and Ireland King, Defender of the Faith, &c.

LONDON,
Printed by ROBERT BARKER, Printer to the Kings most Excellent Majestie: And by the Assignes of JOHN BILL.

1641.

Cum Privilegio.

DIEU ET MON DROIT

ANNO XVII.
Caroli Regis.

An Act for the ſpeedie and effectuall reducing of the Rebells in His Majeſties Kingdom of *Ireland* to their due obedience to His Majeſtie and the Crown of *England*.

WHereas the Lords and Commons, taking into their ſerious conſiderations, as well the neceſſity of a ſpeedie reducing of the Rebells of Ireland to their due obedience, as alſo the great ſumms of money that the Commons of this Realm have of late paid for the publike and neceſſary affairs of this Kingdom, whereof the Lords and Commons are very ſenſible, and deſirous to imbrace all good and honourable wayes, tending to His Majeſties greatneſſe and profit, the ſetling of that Realm, and the eaſe of His Majeſties Subjects of England;

And whereas divers worthy and well-affected persons, perceiving that many Millions of Acres of the Rebells Lands of that Kingdom, which go under the name of profitable Lands, will be confiscate, and to be disposed of; And that in case two Millions and a half of those Acres to be equally taken out of the four Provinces of that Kingdom, may be allotted for the satisfaction of such persons as shall disburse any sums of money for the reducing of the Rebells there, would effectually accomplish the same, have made these Propositions ensuing (viz.)

1. That two Millions and an half of those Acres may be assigned, allotted, and divided amongst them after this proportion, (viz.) For each Adventure of two hundred pounds, one thousand Acres in Ulster: For three hundred pounds, one thousand Acres in Conaght: For four hundred and fifty pounds, one thousand Acres in Munster: For six hundred pounds, one thousand Acres in Leinster. All according to the English measure, and consisting of Meadow, Arable, and profitable Pasture, the Bogs, Woods, and barren Mountains being cast in over and above these two Millions and a half of Acres, to be holden in free and common Soccage of the King, as of his Castle of Dublin.

2. That out of these two Millions and a half of Acres, a constant yeerly rent shall be reserved to the Crown of England, after this proportion, (viz.) out of each Acre thereof in Ulster one penie; Out of each Acre in Conaght, three half pence; Out of each Acre in Munster, two pence farthing; And out of each Acre in Leinster, three pence; whereby his Majesties Revenue out of those Lands will be much improved, besides the advantages that he will have by the coming to his hands of all other the Lands

of

of the Rebells, and their personall Estates, without any charge unto his Majestie.

3 That for the erecting of Mannors, setling of waste, and Commons, maintaining of preaching Ministers, Creating of Corporations, and Regulating of the severall plantations, one, or more Commissions be hereafter graunted by authoritie of Parliament.

4. That Moneys for this great occasion may be the more speedily advanced, All the Undertakers in the Citie of London, and within twentie miles distant thereof, shall underwrite their severall sums before the twentieth day of March, one thousand six hundred fourtie one, and all within fortie miles of London, before the first day of April, one thousand six hundred fourtie two, and the rest of the Kingdom before the first day of May, one thousand six hundred fourtie two.

5 That the severall sums to be underwritten, shall be paid in at four paiments, (viz.) One fourth part within ten dayes after such underwriting, and the other three parts at three Moneths, and three Moneths, all to be paid into the Chamber of London.

6 That for the better securing of the said severall sums accordingly, every one that doth so Underwrite shall at the time of his Subscription pay down the twentieth part of the totall sum that shall be by him then underwritten. And in case that the residue of his first fourth part be not paid in to such person, or persons as shall be appointed to receive the same,

within the ten dayes before limited, then such party shall not onely forfeit the twentieth part of the sum totall formerly deposited, but so much more of his first fourth payment to be added thereunto, as shall make up the one Moyetie of the said first payment. And if the same person shall fail in any other of the three payments, he shall then forfeit his entire first fourth part, and all the benefit of his Subscription; which forfeiture shall accrue to the common benefit of the rest of the underwriters.

And whereas as well our Soveraign Lord the King, as the Lords and Commons have approved of the said Propositions, and assented that the said Propositions, and all other things necessarily conducing thereunto, shall be ratifyed and confirmed by authoritie of Parliament:

Be it therefore Enacted by Our Soveraign Lord the King, with the assent of the Lords and Commons in this present Parliament assembled, and by authoritie of the same, That all and every of the said Propositions, and every clause therein contained, are, and shall be according to the tenour and purport thereof hereby ratified, established, and confirmed, with such explanations, alterations, and additions, as in this Act are exprest.

And be it further Enacted, That all and every person and persons, which upon the three and twentieth day of October, in the yeer one thousand six hundred fourtie one, or at any time after shall be in Rebellion, or levie war against the Kings Majestie, within His Realm of Ireland, or shall willingly aid, assist, or countenance any person or persons in Rebellion against the Kings Majestie, shall lose and forfeit unto the Kings Majestie, His Heires and Successors, all such right, title, interest, use and possession, which they, or any of them, or any other person or persons in trust for them, or any of them, on the said three and twentieth day of October, or at any time after shall have, of, in, or unto any Honours, Castles, Mannors, Messuages, Lands, Tenements, Rents, Annuities, Reversions, Remainders, Rules, Possessions, Offices, Rights, Conditions, or any other Hereditaments, of what name, nature, or qualitie soever they

they be, and that all such right, title, interest, use and possession, which they or any of them, or any other person or persons in trust for them, or any of them, on the said three and twentieth day of October, or at any time after shall have, or of right ought to have, of, in, or to the same Honours, Castles, Mannors, Messuages, Lands, Tenements, Rents, Annuities, Reversions, Remainders, Fees, Possessions, Offices, Rights, Commissions, or any other Hereditaments, shall by the authority aforesaid, be deemed vested, adjudged, and taken to be in the actuall and reall possession of Our Soveraign Lord the King, His Heirs and Successors, without any Office or Inquisition to be found hereafter to be found.

And be it further enacted by the Authority aforesaid, That two Millions and a half of Acres of Meadow, Arable Land, and profitable Pasture, which are, or shall be forfeited by the said Rebels, or otherwise by vertue of this Act, with Woods, Boggs, Loughes, and barren Mountains cast in over and above, and with all the Buildings and Edifices thereupon, are, and shall be by vertue of this Act, for the satisfaction of such person and persons as shall undertake any sum, or sums of Money, and pay the same according to the true intent and meaning of this present Act, the same to be allotted, and appropriated to each Undertaker according to the proportion of the sums to be undertaken, and paid in, and to be holden by such like, and Tenure as in the said recited Propositions are expressed.

And be it further enacted, That John Warner, John Towse, and Thomas Andrews Aldermen, and Lawrence Halsted Esquire, are, and shall be hereby appointed, and authorized to give their daily attendance at the said Chamber of London, to receive all such Subscriptions, and sums of Money, and to give receipts for the same under their hands, as shall be there tendred and paid according to this Act, which said persons so appointed to receive the said sums of Money, shall enter the names of the Undertakers, together with the sum, and time of Subscription into one, or more Books to be kept for that purpose, and shall from time to time issue out the said sums of Money, in such manner as both Houses of Parliament shall by Order direct.

And be it further enacted, That the Sheriffs of each County of England, and Dominion of Wales, shall receive all such Subscriptions, and sums of Money, as shall be by vertue of this Act tendred to them in their respective Counties, and shall appoint days, and places for that purpose, and shall give receipts

for

for the ſums ſo received under their hands, and return the ſums ſubſcribed and received, together with the names of the underwriters, and the times of their Subſcriptions, to the Chamber of London, to the hands of the ſaid John Warner, John Towſe, Thomas Andrewes, and Lawrence Halſted, or to any two of them, with all convenient ſpeed, to be by them entred into Books to be kept for that purpoſe: And they, the ſaid John Warner, John Towſe, Thomas Andrewes, and Lawrence Halſted, or any two of them, are hereby likewiſe authoriſed, and required to give acquittances or receipts for all ſums received of the ſaid Sheriffs: And that the ſaid John Warner, John Towſe, Thomas Andrewes, and Lawrence Halſted, and the ſaid Sheriffs, their officers and miniſters, their heirs and executors, ſhall accompt for all ſums of Money by them received according to this preſent Act, to ſuch perſons as both Houſes of Parliament ſhall direct.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawfull, to, and for the ſaid John Warner, John Towſe, Thomas Andrewes, and Lawrence Halſted, and the ſaid Sheriffs reſpectively, to deduct, and retain to their own uſe, one penny out of every pound, of all ſuch ſums of Money as they ſhall receive according to this Act, towards their charges and pains in attending and receiving the ſaid Subſcriptions and ſums of Money, and in iſſuing out, and returning up the ſame.

And be it further Enacted, That when the Lords and Commons of this Realm of England, ſhall in Parliament by Order Declare, that the ſaid Rebels are ſubdued, and that this preſent Rebellion in the ſaid Kingdom of Ireland is appeaſed, and ended, that forthwith after ſuch Declaration made, and ſent to the Lord Chancellor, or Lord Keeper of the great Seal of England for the time being, the ſaid Lord Chancellor, or Lord Keeper is hereby authoriſed, and required to iſſue forth Commiſſions into all the ſaid four Provinces of that Kingdom of Ireland, for the ſurveying, and ſetting forth of the ſaid two Millions and half of Acres, which Commiſſion ſhall be to ſuch effect, and directed to ſuch perſons as the ſaid Lords and Commons in Parliament ſhall appoint, which ſaid Commiſſioners ſhall have power by this Act, to ſurvey all the Lands of the ſaid Rebels, and all the Lands forfeited by vertue of this Act, and to aſcertain, and meaſure forth of the ſame ſix hundred and five and twenty thouſand Acres, in every of the ſaid four Provinces,

ces, of Meadow, Arable and profitable Pasture, with Woods, Bogs, Loughes, and barren Mountains taken in over and above, with the Howses and Edifices thereupon; and after the same measured and set forth, shall indifferently devide the same by Lot among the severall Underwriters, and among the heires of such Underwriters as shall die before the division; and the assignee and assignees of such of the underwriters as shall assigne their shares, or any part thereof before the said Division, according to the Proportions mentioned in the said recited Proportions, and according to the respective sums paid in as aforesaid, and according to the purport of this present Act; which Division shall be made in such manner as the said Lords and Commons in Parliament shall by Order direct, in which division no manner of favour or advantage shall be given or allowed to any person whatsoever, but all to be done and determined equally, and by Lot, and each Underwriters Land to be laid together, or so neer together as conveniently may be. And in case six hundred twenty five thousand Acres of the Rebels profitable Lands, and of the profitable Lands forfeited by vertue of this Act, shall not be found in each Province, then so much of the said six hundred twenty five thousand Acres as shall be wanting in any one Province, shall be made up in value out of the said Rebels Lands, and for want thereof, out of the profitable Lands forfeited by this Act, in the other Provinces, at the discretion of the said Commissioners, respect being had to the value of the Lands in each Province, according to the said Proportions; which said Commissioners shall return the said allotments, and all their proceedings therein fairly ingrost in parchment into His Majesties Court of Chancery of this Kingdom, there to remain of Record, and into His Majesties Court of Chancery of the said Kingdom of Ireland, to remain there, likewise of Record.

And be it further enacted, That immediately after every Underwriter, Heir or Assignee of any Underwriter, shall have devised his respective Lot, containing the Meadow, Arable and profitable Pasture, with all the Woods, Bogs, Loughes, and barren Mountains over and above, together with the Howses and Edifices thereupon, which shall be appointed for his share, such Underwriter, Heir, and Assignee shall be and is hereby declared to be, by vertue of this Act, in the actuall possession and seizure of all the said lands, with all things thereunto belonging, mentioned in his said Lot, and that he shall enjoy the same after his Lot

so drawn as aforesaid, enter upon, have and enjoy to him and his heires, all and singular the Meadow, Arable, profitable Pasture, Woods, Bogs, Loughes, Waters, Fishings, and barren Mountains, together with the Houses and Edifices thereupon, and in his said Lot contained, with all Easements and Commodities thereunto belonging.

And be it further Enacted by the authority aforesaid, That all and every person and persons, which within three moneths after the allotment so to be made as aforesaid, shall have one thousand Acres, or more of the said two millions & half of Acres, lying together in the Province of Leinster, or two thousand Acres, or more lying together in the Province of Conaght, or one thousand five hundred Acres or more lying together in the Province of Munster, or three thousand Acres or more, lying together in the Province of Ulster, shall have power by vertue of this Act, for every such thousand, two thousand, fifteen hundred, and three thousand Acres, to create a Mannor within the limits of the said lands respectively, and to reserve tenures to hold of himself and his heirs, as of his said Mannor or Mannors, at his will, and pleasure: And that every such person shall have a Court Leete, and Court Baron, and shall have full power to hold a Court Leete, and Court Baron within the Precincts of every such Mannor, and to enjoy all such Royalties, Franchises, Fines and Amerciaments, Suites, Services, and Immunities, as to view, of Frankpledge, or Court Baron, is usuall and belonging. And also within each respective Mannors, to have and enjoy as aforesaid, all Weodands, Felons goods, and goods of Felons, of themselves, together with all Wayfes and Strayes.

And be it further Enacted by the authority aforesaid, That no part of the monie hereby shall be paid in according to this Act, shall be imployed to any other purpose then the reducing of the said Rebels, untill the said Rebels shall be declared to be subdued by the said Lords and Commons, as aforesaid. And that the said monies shall be imployed for the speedie and effectuall subduing of the said Rebels by sending over into the said Realme of Ireland, and disposing there such forces of Foot, and Horse, Monies, Ammunition, victuall, and all other things necessary to a warre, in such manner as the said Lords, and Commons in Parliament shall from time to time direct, and the overplus of the said money, if any shall be, to be disposed, as the said Lords and Commons shall likewise direct.

And

And be it likewise enacted by the authority aforesaid, That Plantations shall be regulated, Corporations created, Churches erected, and Preaching Ministers maintained within the Limits and Precincts of the Lands so to be divided, in such manner as by Commissioners to be nominated and directed by the said Lords and Commons in Parliament shall be ordered and provided.

And it is further enacted, That the Lord Chancellour or Lord Keeper of the Great Seal of England for the time being, shall upon direction to him given by the said Lords and Commons in Parliament, issue out one or more Commissions for this purpose, directed to such persons, and in such manner, as the said Lords and Commons in Parliament shall order and appoint.

And for the further encouraging and securing of all such persons as shall pay any sum of money towards the perfecting of this great Work, Be it likewise enacted by the authority aforesaid, That all Patents which shall be granted of any of the said Rebells goods or Lands, or of any goods or Lands forfeited by vertue of this Act, and all Pardons which shall be granted to any of the said Rebells before attainder, after the three and twentieth of October, one thousand six hundred fourty and one (without the assent of the said Lords and Commons in Parliament) shall be adjudged void, and of none effect.

And be it further enacted by the authority aforesaid, That the Commissioners authorized by this Act to set forth the undertakers Lands, as aforesaid, shall fourty dayes before they set forth the same, or any part thereof, cause Proclamations to be made by vertue of this Act, in every Countie of the said Kingdom of Ireland, to this effect, (viz.) That every person which had any right, title, or interest the three and twentieth of October one thousand six hundred fourty one, in, or out of any of the said Rebells Lands, or the Lands forfeited by this Act, lying within the Countie where any such Proclamation shall be made, shall enter his claim to the same upon record in his Majesties Court of Chancery in the said Kingdom of Ireland, within twenty dayes after the said Proclamation so made in the said Countie.

And be it further enacted by the authority aforesaid, That every person which after the first day of March, one thousand six hundred and fourty, shall make, enter into, or take any Com-

pact, Bond, Covenant, Oath, Promise, or Agreement, to introduce, or bring into the said Realm of Ireland the authority of the See of Rome, in any case whatsoever, or to maintain or defend the same, shall by vertue of this Act, forfeit to His Majestie, His Heirs, and Successours, all his Lands, Tenements, and Hereditaments entailed or not entailed, Goods and Chattels, which he had or shall have in his own name, or any other person or persons had or shall have in trust for him, at the time of the making, entring into, or taking any such Compact, Bond, Covenant, Oath, Promise, or Agreement, other then such Lands, Tenements, Hereditaments, Goods and Chattells, as shall be bona fide, and for valuable consideration sold, before the said three and twentieth of October, one thousand six hundred fourty one.

And further be it enacted by the Authority aforesaid, That if any person, since the three and twentieth day of October, one thousand six hundred fourty one, be, or hereafter shalbe in Rebellion within the said Kingdom of Ireland, and be dead, or shall die before attaindor, or pardon for the same; All the Lands, Tenements, and Hereditaments, Estate, or Estates, Goods or Chattells which such person had, or shall have, or any other person had, or shall have in trust, for, or to his use, the said three and twentieth of October, or at any time thereafter, shall be by vertue of this Act forfeited to His Majestie, His Heirs and Successours, and shall be adjudged to be in the actuall seisin and possession of the King, His Heirs and Successours, by vertue of this Act.

And further be it enacted by the Authority aforesaid, That all Lands, Tenements, and Hereditaments, whereof any person in the said Kingdom of Ireland was seised the three and twentieth of October, one thousand six hundred fourty one, or at any time after, shall be seised of any Estate, tail, or whereof any other person or persons shall be seised in trust for him, for any trust of inheritance, who shall be attainted of high treason in his life time, or being in actuall Rebellion shall die before he be attainted, or pardoned for the same, or who shall make, enter into, or take any such Compact, Bond, Covenant, Oath, Promise or Agreement to such purpose as aforesaid, shall by vertue of this Act, be, and adjudged to be in the actuall seisin and possession of the King, His Heirs and Successours.

And be it further enacted by the Authority aforesaid, That if

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any perſon or perſons whatſoever, that at any time hereafter ſhall be attainted for Treaſon, or ſhall die in actuall Rebellion before attaindor, or pardon of the ſame, or hath, or ſhall take, enter into, or make any ſuch Compact, Bond, Covenant, Oath, Promiſe, or Agreement as aforeſaid, ſhall after the firſt day of March, one thouſand ſix hundred and fourty, make, or hath made any Conveyance, or Aſſurance whatſoever, of any Manors, Lands, Tenements, or Hereditaments in the Kingdom of Ireland, unto, or for his own uſe, or unto, or for the uſe of his wife, or any of his children, or in truſt for himſelf, his wife, or any of his children, That then all the Uſes, Eſtates, and Truſts ſo limited, other then ſuch as are, or ſhall bona fide be made before his, her, or their marriage, or made in performance of any Covenant in writing made before marriage, unto, or for the uſe of his wife or children, ſhall be forfeited unto His Majeſtie, His Heirs and Succeſſours, and ſhall be adjudged to be by vertue of this Act, in the actuall poſſeſſion of the King, His Heirs and Succeſſours.

And be it further enacted by the Authority aforeſaid, in regard a great part of the time prefixed in the ſaid Propoſitions for the ſubſcriptions of the ſaid Underwriters is already elapſed, that every one of the Kings Subjects of the Realms of England, Scotland, or Ireland, that ſhall underwrite within this Kingdom the ſumme of ten pounds, or more, for the purpoſe aforeſaid, before the firſt day of May one thouſand ſix hundred fourty two, and before the ſaid Million of Money be underwritten, and ſhall pay in one moiety thereof to the reſpective Receivers before nominated in this Act at the time of ſuch ſubſcription, and ſhall pay in the other moiety reſidue thereof, to the ſaid Receivers within ſix Moneths after ſuch ſubſcription: and every one of the Kings Subjects of the Realms of England, Scotland, and Ireland that ſhall underwrite the ſumme of ſix pounds, or more, within the Realm of Ireland for the purpoſe aforeſaid (in one or more Books to be kept for that purpoſe by the Treaſurer of the Armie there for the time being) who is authorized and required hereby to keep ſuch Book, or Books, and to enter the names of ſuch Underwriters, and the time of ſuch ſubſcriptions, together with the ſummes ſubſcribed, before the firſt day of July one thouſand ſix hundred fourty two, and before the ſaid Million of Money ſhall be underwritten, and ſhall at the time of ſuch ſubſcription pay one moiette of ſuch ſumme ſo to be underwritten,

derwritten to the said Treasurer for the time being (who is hereby likewise authorised to receive all such sums of Money, and give Receipts for the same under his hand) and shall pay to the said Treasurer the other moietie residue within six moneths after such subscription, every person so underwriting in this Realm, or in the Realm of Ireland, as aforesaid, shall have a proportionable share of the said Rebells Lands, and of other Lands to be forfeited by this Act, according to the sum to be underwritten and paid in, as aforesaid, and as if such person had underwritten within the times mentioned in the said Propositions, and had paid in his money accordingly.

And for the better advancing of a speedie Plantation within that Kingdom, which will soon redound to the great increase of His Majesties Customes and Revenues there, Be it further enacted by the Authoritie aforesaid, That every person which shall have any part of the said lands so to be divided and allotted, as aforesaid, shall and may export out of this Kingdom, or Dominion of Wales, any Horses, Mares, Cattell, Sheep, or other goods, for the planting, improving, and stocking of the said lands, or any part thereof, at any time during the space of two yeers, to be accounted from such division and allotment to be made (as aforesaid) without paying any Custome, Subsidie, or Impost for the same. Nevertheless, upon sufficient securitie given to the Farmers, or Collectors of His Majesties Customes, for the time being, or to any one of them, that the said Horses, Mares, Cattell, Sheep, and goods so to be exported, shall be bona fide imployed for the planting, improving, and stocking of the said lands, or of some part thereof, and not to be imployed to any other purpose. Saving to all and singular persons, bodies Politique, and Corporate, their Heirs and Successors, and the Heirs and Successors of every of them (other then the said Rebels, their Aiders, Abettors, Counsellers, and Maintainers, and other persons, whose lands are, or shall be forfeited by this Act, and every of them, their, and every of their Heirs and Assignes, and all and every person or persons claiming, by, from, or under them, or any of them, or to their, or any of their use or uses, or in trust for them or any of them, since the said three and twentieth day of October) all such Right, Title, Interest, Possession, Reversion, Remainder, Offices, Annuities, Rents, and Commons, which they, or any of them had, or ought to have had in, to, or out of any the said

laid Houſes, Mannors, Caſtles, Lands, Tenements, Hereditaments, or Premiſſes, forfeited by this Act, or any of them, the three and twentieth day of October, in the yeer of our Lord God, one thouſand ſix hundred fortie one, ſo as every ſuch perſon or perſons, bodies Politique, or Corporate, whoſe right or intereſt is ſaved by this Act, their Heirs or Succeſſors do make or enter, or cauſe to be entred, his, or their claim to any ſuch right, title or intereſt, in His Majeſties Court of Chancerie in Ireland, within twentie dayes after ſuch Proclamation made as aforeſaid.